

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

6:69-cv-07941-BB

RIO CHAMA STREAM SYSTEM  
Section 7: Rio Brazos

**Subfile No. CHRB-005-0018**

**MOTION TO VACATE CONSENT ORDER**

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and moves the Court to vacate the Consent Order filed May 1, 2002 (Doc. 6686) in connection with defendant Carlos J. Romero Jr. and subfile CHRB-005-0018 and as grounds therefore Plaintiff states as follows:

1. Defendant Carlos J. Romero Jr. signed and approved a Consent Order in subfile CHRB-005-0018 that was filed with the Court on May 1, 2002. The State has corrected the boundaries and irrigated acreage of the land under this subfile, and the boundaries of several other neighboring tracts of land, after review of a plat of survey showing the tracts of land in this general area. The Consent Order filed May 1, 2002 in subfile CHRB-005-0018 should be vacated. Defendant Romero has signed and approved a corrected proposed Consent Order in this subfile to be filed with the Court.

WHEREFORE, the Plaintiff State of New Mexico requests the Court to vacate the Consent Order filed May 1, 2002 (Doc. 6686) in connection with defendant Carlos J. Romero Jr. and subfile CHRB-005-0018.

Respectfully submitted,

/s/ Ed Newville

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 22nd day of August, 2008 I filed the foregoing electronically through the CM/ECF system and served the following non-CM/ECF Participant in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Carlos J. Romero Jr.  
2120 Sheraton Dr.  
Santa Clara, CA 95050

/s/ Ed Newville

Edward G. Newville